



## INTERIOR BOARD OF INDIAN APPEALS

Mathew Peters, Jr. v. Sacramento Area Director, Bureau of Indian Affairs

21 IBIA 74 (12/11/1991)



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
4015 WILSON BOULEVARD  
ARLINGTON, VA 22203

MATHEW PETERS, JR.,  
Appellant

v.

SACRAMENTO AREA DIRECTOR,  
BUREAU OF INDIAN AFFAIRS,  
Appellee

: Order Dismissing Appeal as Moot  
:  
:  
:  
: Docket No. IBIA 91-102-A  
:  
:  
: December 11, 1991

Appellant Mathew Peters, Jr., sought review of a May 1, 1991, decision of the Sacramento Area Director, Bureau of Indian Affairs (Area Director), concerning the recognition of certain tribal officials, including himself, for the Robinson Rancheria.

On August 29 and 30, 1991, the Board of Indian Appeals received documents from two other tribal members. The documents indicated that a tribal election was held on July 28, 1991. Although the results of that election were apparently still in dispute, the Board stated that it appeared that the July 28, 1991, election would supersede the Area Director's May 1, 1991 decision, thereby rendering this appeal moot. On September 3, 1991, the Board issued an order to appellant requiring him to show cause why his appeal should not be dismissed as moot.

Appellant was reminded of his obligation to show cause in the Board's September 16, 1991, notice of docketing.

Appellant has not responded to the order to show cause. Therefore, there has been no challenge to the factual assertion that a July 28, 1991, tribal election was held, or to the Board's initial determination that such an election would render the Area Director's May 1, 1991, decision moot. Accordingly, appellant has failed to show cause why this appeal should not be dismissed.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the Sacramento Area Director's May 1, 1991, decision is dismissed as moot.

\_\_\_\_\_  
//original signed  
Kathryn A. Lynn  
Chief Administrative Judge

\_\_\_\_\_  
//original signed  
Anita Vogt  
Administrative Judge